

*Chief Secretary to Government*17th October 2001

Her Excellency Ms. Susan Jacobs
Ambassador
Embassy of the United States of America
PO Box 1492
PORT MORESBY 121, NCD

Your Excellency

Subject: Statement of the Government of Papua New Guinea on the Class Action
Lawsuit by some Bougainvilleans against Rio Tinto *et al* in the United
States.

I have the honour to present to you the Papua New Guinea Government's official position on the class action lawsuit by some citizens of Papua New Guinea against Rio Tinto *et al* in the United States District Court for the Northern District of California.

The allegations contained in the writ of summons in this case affect a number of vital national interests. I have, therefore been directed to request the United States Government to give the concerns and views of the Government of Papua New Guinea as set out in the attached statement its closest and urgent consideration.

Previous communications on this matter to the District Court Judge for the Northern District Court of California from the Papua New Guinea Ambassador to the United Nations and the Attorney General have been withdrawn in retrospect.

The case has potentially very serious social, economic, legal, political and security implications for Papua New Guinea. It has the potential to give rise to strong adverse effects on many different aspects of Papua New Guinea's international relations, especially its relations with the United States.



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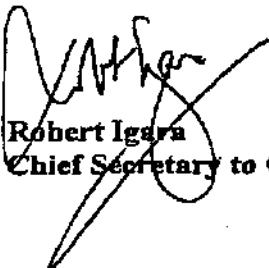
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Papua New Guinea

The implications for this case proceeding in the United States District Court are very grave, with far reaching implications for the wider region. The Papua New Guinea Government considers this court action as tantamount to seriously undermining and placing under strain the cordial relations and support it enjoys with the Government of the United States and therefore, calls upon the United States Government to seriously consider the gravity of the matter on its foreign relations with Papua New Guinea.

The Government of Papua New Guinea respectfully requests the United States Government to make representations to her Honour Judge Margaret M. Morrow so as to avert the difficulties and adverse effects of this case.

Please advise if the United States Department of State requires any further information in relation to the allegations and the case in general. The Government of Papua New Guinea will be appreciative of any additional advice the United States Government can give concerning the legal basis and implications of the case, the United States Government's position, as well as other developments associated with the case.

Please accept, Your Excellency, the assurance of my highest consideration.



Robert Igara
Chief Secretary to Government